

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

**Caption in Compliance with D.N.J. LBR 9004-1(b)**

Alla Kachan, Esq.  
Law Offices of Alla Kachan, P.C.  
2799 Coney Island Avenue, Ste 202  
Brooklyn, NY 11235  
Tel.: (718) 513-3145

Case No.: 16-20278-cmg

Chapter: 11

In Re:  
Yvette Davidov and Mikhail Davidov,

Hearing Date: February 28, 2023

Judge: Christine M. Gravelle

Debtors

**NOTICE OF MOTION TO REOPEN CASE**

1. Yvette Davidov and Mikhail Davidov, the Debtors in the above-captioned chapter 11 case (hereinafter, the “Debtor”), by undersigned counsel Alla Kachan Esq, Law Offices of Alla Kachan, P.C. have filed papers with the court requesting that an order be entered allowing the Debtors to reopen the case for the purpose of obtaining a discharge upon the completion of the Ch 11 plan and consummation of the Ch 11 plan as defined by 11 U.S.C. § 1101(2).

**YOUR RIGHTS MAY BE AFFECTED. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one).**

2. **PLEASE TAKE NOTICE** that upon the annexed Motion to reopen the above-captioned chapter 11 bankruptcy case, the Debtor will move this Court on **February 28, 2023 at 10:00 AM**, in United States Bankruptcy Court for the District of New Jersey, 402 East State Street, Trenton, NJ 08608, Courtroom # 3 before the Honorable Christine M. Gravelle, United States Bankruptcy Judge for the District of New Jersey, for an Order, pursuant to 11 U. S. C. §§ 105 and 350(b), reopening this bankruptcy case.
3. **PLEASE TAKE NOTICE** that starting the week of March 28, 2022, Judge Gravelle will be returning to in-person hearings, with the option to appear through CourtSolutions in lieu of in-person participation. This applies to all non-chapter 13 matters.
4. **PLEASE TAKE NOTICE** that Judge Gravelle is amenable to telephonic appearances. Prior consent is not necessary but parties are directed to contact their adversary to inform them they will be appearing by telephone. All requests for telephonic appearances before Judge Gravelle

shall be arranged through CourtSolutions, <http://www.Court-Solutions.com>, no later than 3:00 p.m. the court day prior to the hearing. To appear telephonically, you will need to create a CourtSolutions' account. Once you establish an account, you will be able to submit your request to appear telephonically. This request will either be approved or denied by Judge Gravelle's chambers. As long as your request is approved by chambers, you can log into your CourtSolutions' account, prior to the hearing time, and access the large orange button entitled "Open Hearing Dashboard" for your dial-in instructions. Your dial-in information will be the same for every reservation you make. For complete information about CourtSolutions, please visit <http://help.court-solutions.com>. If you are having call-in or sign-in problems with CourtSolutions, please contact CourtSolutions directly at (917) 746-7476 or email [help@Court-Solutions.com](mailto:help@Court-Solutions.com).

If you do not want the court to grant this motion, or if you want the court to consider your views, you or your attorney must file with the clerk at the address listed below, a written response explaining your position no later than 7 days prior to the hearing date.

Hearing Date: February 28, 2023

Hearing Time: 10:00 AM

Hearing Location: 402 East State Street  
Trenton, NJ 08608

Courtroom Number: Courtroom # 3

If you mail your response to the clerk for filing, you must mail it early enough so the court will receive it on or before 7 days prior to the hearing date.

You must also mail a copy of your response to:

Benjamin Teich, Esq.  
Trial Attorney  
United States Department of Justice  
Office of the United States Trustee  
One Newark Center  
Suite 2100  
Newark, NJ 07102

Alla Kachan, Esq.  
Law Offices of Alla Kachan, P.C.  
2799 Coney Island Avenue, Ste 202  
Brooklyn, NY 11235

Yvette Davidov and Mikhail Davidov  
14 Barn Swallow Blvd.  
Marlboro, NJ 07746

If you, or your attorney, do not take the steps outlined above, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Date: 2/01/2023  
*[Enter the date this document is signed]*

/s/ Alla Kachan  
Signature

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**CERTIFICATION OF ALLA KACHAN, ESQ.**

I, Alla Kachan, an Attorney for Yvette Davidov and Mikhail Davidov (the “Debtors”) in the above captioned case, submits this Certification in support of the Motion to Reopen Case.

1. I submit this Certification in support of my motion to Reopen Bankruptcy Case.
2. The bankruptcy case was filed on May 26, 2016.
3. On January 17, 2018 the case was closed because 1 ) The order confirming the plan has become final and 2) The payments under the plan have commenced

4. Through this motion, I request that the court reopen the case so I have the opportunity to

[Choose]:

- ☐ Attend the Meeting of Creditors ("341 meeting")
- ☐ Amended Schedule D, E, F, G, H or List of Creditors
- ☐ Other [Explain] obtain a discharge upon the completion of the Ch 11 plan payments

5. This case was commenced by the filing of a voluntary petition under chapter 11 of the Bankruptcy Code, 11 U. S. C. § 101. on April 3, 2015. See Voluntary Petition, ECF Doc. No. 1.
6. This Court has jurisdiction over this core proceeding pursuant to 28 U.S.C. §§ 1334(a) and 157(b)(2)(A).
7. On October 19, 2017 the Court entered an Amended Order Confirming Chapter 11 Plan (ECF No. 86) (the "Confirmation Order"), which confirmed Debtors' Plan of Reorganization (ECF No. 69) (the "Confirmed Plan").
8. On January 18, 2018, the Court entered a Final Decree. (ECF No. 112).
9. On January 18, 2018, the Bankruptcy case was closed without prejudice to reopening for the purpose on obtaining a discharge.
10. Section 350(b) of the Bankruptcy Code authorizes courts to reopen a case "to administer assets, to accord relief to the debtor, or for other cause." 11 U.S.C. § 350(b). The Court has previously stated that "[t]he statute's permissive language provides the Court with broad discretion to determine whether a debtor filed a motion to reopen in good faith or has demonstrated good cause." In re Meneses, 05-86811-AST, LEXIS 700 at \*7 (Bankr. E.D.N.Y. 2010); In re Farley, 451 B.R. 235, 237 (Bankr. E.D.N.Y. 2011).
11. In the instant case, the plan has been fully consummated as defined by 11 U.S.C. § 1101(2), the bankruptcy estate has been fully administered, and the Debtors have completed all payments contemplated in the plan.
12. The Debtors now respectfully request that the Court reopen the above-captioned bankruptcy case in order to get a discharge upon the completion of the plan.
13. No application for the relief requested has previously been made.

I certify under penalty of perjury that the above is true.

Date: 2/01/2023  
[Enter the date this document is signed]

/s/ Alla Kachan  
Signature

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**STATEMENT AS TO WHY NO BRIEF IS NECESSARY**

In accordance with D.N.J. LBR 9013-1(a)(3), it is respectfully submitted that no brief is necessary in the court's consideration of this motion, as it does not involve complex issues of law.

Date: 2/01/2023  
*[Enter date this document is signed]*

/s/ Alla Kachan  
Signature

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**ORDER GRANTING MOTION TO REOPEN CASE**

The relief set forth on the following pages, numbered two (2) through eight (8)\_\_\_ is  
**ORDERED.**

The above-captioned Debtor (the “Debtor”) having filed and served a motion dated October 21, 2022 to reopen the above-captioned chapter 11 case, pursuant to 11 U. S. C. §§ 105 and 350(b) (the “Motion”), and after due and sufficient notice of the Motion on all necessary parties, there being no objection thereto; and the Court having the movant’s Motion to Reopen Case, and any related responses or objections, it is hereby

ORDERED that: the Motion to reopen the above-captioned chapter 11 case is granted.